

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
) Case No. CR06-425-MJP
 v.)
)
) DETENTION ORDER
 FERNANDO CIENFEUGOS,)
)
 Defendant.)
 _____)

Offenses charged:

Count 1: Conspiracy to Distribute Methamphetamine in violation of 21 U.S.C.
 §§ 841(a)(1) and 841(b)(1)(A), and 846.

Count 2: Conspiracy to Distribute Heroin in violation of 21 U.S.C. §§ 841(a)(1),
 841(b)(a)(B), and 846.

Date of Detention Hearing: March 7, 2007.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
 based upon the factual findings and statement of reasons for detention hereafter set forth,
 finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. §3142 (e), a rebuttable presumption exists that no
 conditions or combination of conditions exist short of detention that will reasonably assure

01 the safety of the community or the appearance in Court of the defendant. The presumption is
02 appropriately applied in this case.

03 (2) Defendant has an extensive history of Failures to Appear for required court
04 appearances.

05 (3) Defendant has an on-going serious substance abuse problem.

06 (4) Defendant has family ties in Mexico.

07 (5) Defendant has stipulated to detention, but has reserved his right to contest his
08 continued detention if there is a change in circumstances.

09 (6) Defendant is a flight risk and a danger to the community based on the nature
10 of the pending charges. There appear to be no conditions or combination of conditions other
11 than detention that will reasonably assure the defendant's appearance at future Court hearings
12 or address the issues of safety to the community.

13 IT IS THEREFORE ORDERED:


14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a corrections facility separate, to the
16 extent practicable, from persons awaiting or serving sentences or being held in
17 custody pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation
19 with counsel;

20 (3) On order of a court of the United States or on request of an attorney for the
21 government, the person in charge of the corrections facility in which
22 defendant is confined shall deliver the defendant to a United States Marshal
23 for the purpose of an appearance in connection with a court proceeding; and

24 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
25 counsel for the defendant, to the United States Marshal, and to the United
26 States Pretrial Services Officer.

01 DATED this 7th day of March, 2007.

02 
03 JAMES P. DONOHUE
04 United States Magistrate Judge
05
06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26